

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: :
PAUL E. EVERETTS : **CASE NO. 1-13-02453-MDF**
 Debtor :
 WELLS FARGO BANK, N.A. : **CHAPTER 13**
 Movant :
 v. :
 PAUL E. EVERETTS :
 Respondent :

DEBTOR'S RESPONSE TO MOTION OF
WELLS FARGO BANK, N.A.
FOR RELIEF FROM THE AUTOMATIC STAY

AND NOW, comes Debtor, Paul E. Everetts, by and through his attorney, Gary J. Imblum, and respectfully responds as follows:

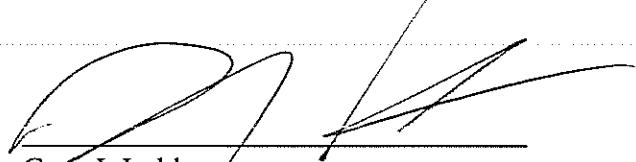
1. Admitted.
2. Admitted in part, denied in part. Strict proof is demanded that creditor is the original mortgagee or beneficiary or an assignee or the mortgage or a deed of trust.
3. Admitted.
4. Admitted in part, denied in part. Strict proof is demanded that Movant is the holder of the mortgage.
5. Admitted.
6. Admitted.
7. Admitted in part, denied in part. Debtor admits that there is a substantial post-petition arrearage. The exact amount of same is unknown. There is a substantial equity cushion. Specifically, as of April 22, 2013, the real estate in question had a fair market value of \$400,000.00, whereas the amount owed to Movant on the date of filing, according to Movant's Amended Proof

of Claim, was \$323,695.66. Debtor wishes to immediately list the property for sale and sell same as soon as possible so that he may be paid for his equity in said real estate.

8. Admitted in part, denied in part. See response to paragraph 7.
9. Denied. All communications should go through Debtor's counsel.
10. Denied. There is no reason why Rule 4001(a)(3) should not apply.
11. Admitted.

WHEREFORE, Debtor respectfully requests that this Honorable Court issue an Order denying the Motion for Relief From Stay.

Respectfully submitted,



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Attorney for Debtor

DATED: 8-10-16

CERTIFICATION OF SERVICE

I, Carol V. Shay, Paralegal, do hereby certify that I have served a copy of the foregoing DEBTOR'S RESPONSE TO MOTION OF WELLS FARGO BANK, N.A. FOR RELIEF FROM THE AUTOMATIC STAY upon the following persons by E-Service or by United States Mail, first class, postage prepaid, at Harrisburg, Dauphin County, Pennsylvania, addressed to:

CHARLES J DEHART III ESQUIRE
CHAPTER 13 TRUSTEE
VIA E-SERVICE

dehartstaff@pamdl3trustee.com

JOSEPH A. DESSOYE, ESQUIRE
PHELAN HALLINAN DIAMOND & JONES, LLP
COUNSEL FOR MOVANT
VIA E-SERVICE

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DATED: 8/10/16